



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
100 PEARL STREET, SUITE 20-100
NEW YORK, NY 10004-2616

February 23, 2022

VIA ECF

The Honorable Pamela K. Chen
United States District Court
Eastern District of New York
225 Cadman Plaza East, Chambers N 631
Brooklyn, NY 11201

Re: **SEC v. Richard Xia et al., 21-cv-05350-PKC-CLP**

Dear Judge Chen:

Pursuant to the Court's text order of February 16, 2022, we write on behalf of the parties to advise the Court of the status of negotiations and to request a briefing schedule. First, counsel for the defendants has advised the SEC that he has been in negotiations with a lender (who he has not yet identified to the SEC) who has an interest in the Eastern Mirage project. As it is unclear whether this initiative will bear fruit, the parties request that the Court order the following briefing schedule for post-hearing submissions:

- April 8 – SEC opening brief
- April 22 – Defendants' opposition
- April 29 – SEC reply

The extended briefing schedule is at defense counsel's request due to his other professional and personal commitments. The parties consent to the extension of the Order to Show Cause ("OSC"), including all relief granted in the OSC, and the Order Appointing Monitor, through the date of the Court's decision on the pending motions.

Respectfully submitted,

/s/ David Stoelting
Kevin P. McGrath
David Stoelting
Kim Han
Attorneys for Plaintiff

cc (by ECF): Hervé Gouraige, Esq.